

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Horticulture Dept. - Allegations of certain irregularities against Sri P.Sadasiva Rao, DDH and formerly OSD, HAD -Disciplinary action initiated - Charges framed -Explanation filed - Appointment of Inquiry Authority - Orders - Issued.

AGRICULTURE & COOPERATION (VIG.II) DEPARTMENT

G.O.Rt. No. 1244
Dated:15.10.2013.

1. G.O.Rt. No. 1241, A & C(Vig.II) Dept. Dt. 02.12.2002.
2. From Sri P.Sadasiva Rao, JDH Dt.24.3.2003.
3. From Sri D.Ramaiah, IAS (Retd) COI DO.Lr.No. 110/M-COI.DR/2003, Dt.6.5.2004,
4. G.O.Rt. No. 1002, A & C(Vig.II) Dept. Dt. 18.8.2009.
5. From the COH, Hyd.Lr.No. Estt.I(2)731/2002, Dt. 4.5.2013.
6. Orders dated 14.3.2013, of the Hon'ble Tribunal, in OA No. 12637 of 2009 filed by Sri P.Sadasiva Rao, JDH (Retd).

ORDER:

In the reference 1st read above, Govt. have issued Article of Charges against Sri P.Sadasiva Rao, Ex-Deputy Director of Horticulture / OSD of Horticulture Development Agency, the then Joint Director of Horticulture in Tribal Welfare Department.

2. In the reference 2nd read above, Sri P.Sadasiva Rao, has submitted his written statement of Defence to the Government.
3. In the reference 3rd read above, Sri D.Ramaiah, COI has conducted and submitted his enquiry report to Government.
4. Government have examined the case in detail and imposed a penalty of stoppage of full pension and gratuity against Sri P.Sadasiva Rao, Joint Director of Horticulture (Retd) vide reference 4th read above.
5. Aggrieved by the above penalty Sri P.Sadasiva Rao, has filed OA No. 12637 of 2009 before the Hon'ble APAT against the punishment orders issued by the Government in the reference 4th read above.
6. The Hon'ble APAT in its orders dated 14.3.2013 in OA No. 12637 of 2009 filed by Sri P.Sadasiva Rao, Joint Director of Horticulture (Retd) has passed following orders.

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“ By reading the Charge Memo and the Enquiry Officers Report it is clear that no list of documents is given to the applicant and the Enquiry Officer has conducted the Enquiry basing on the written statement given by the Presenting Officer. The Enquiry officer has not conducted the oral enquiry as required under Rule 20 Sub Rule 14 to 19 of the APSCS (CC&A) rules. In the absence of conducting the enquiry following the Rule 20 of the rules. The Enquiry vitiates

and the punishment imposed basing on the said enquiry also vitiates. In view of the above, the impugned GO Rt. No. 1002, Dt. 18.8.2009, is liable to be set aside and it is hereby set aside. The OA is accordingly disposed of. No order as to costs. However, the respondents are not precluded from taking action by following the procedure contemplated under the APCS (CC& A) Rules".

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7. Government have examined the matter with reference to the orders of the Hon'ble Tribunal and hereby appoint Dr.Premchand, IAS (Retd), Commissioner of Inquiries as Enquiry Officer to conduct detailed inquiry covering the observations made by the Hon'ble APAT in its orders dated 14.3.2013 in OA No. 12637 of 2009 filed by Sri P.Sadasiva Rao, Joint Director of Horticulture (Retd). Sri C.Srivenkateswara Rao Joint Director of Horticulture as presenting officer under Rule 20 (5) (C) of CC&A Rules 1991, to present the case on the charges framed against Sri P.Sadasiva Rao, as per Rule 20 of APCS (CC&A) Rules, 1991 duly providing adequate opportunity to Sri P.Sadasiva Rao, Joint Director of Horticulture (Retd) following the procedure contemplated under the APCS (CC& A) Rules.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
APC & PRINCIPAL SECRETARY TO
GOVERNMENT (FAC)

To

Dr.Premchand, IAS (Retd) Commissioner of Inquiries.
Sri C.Srivenkateswara Rao, Joint Director of Horticulture &
Presenting Officer.

Copy to:

The Commissioner of Horticulture, Hyderabad.

The APVC.

Sf/sc

// FORWARDED:: BY ORDER /

SECTION OFFICER